

CHAPTER 1: GENERAL PROVISIONS

ZONING ORDINANCE

CITY OF GREENWOOD, SOUTH CAROLINA

An ordinance of the City of Greenwood, regulating and/or establishing: the location and use of buildings, structures, land, the height of buildings and other structures, and the size of yards; standards for control of pollution and waste impacts, facilities, and equipment; the density distribution of population; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the method of administration and amendment; providing for a Board of Zoning Appeals; and, providing for the imposition of penalties for the violation of the provisions of this ordinance to be effective in the City of Greenwood, as designated on the official zoning maps.

ARTICLE 1. AUTHORITY CLAUSE

In pursuance of authority as conferred by Title 6, Chapter 29, Code of Laws of South Carolina, 1976, as amended, the aforementioned Councils do ordain and enact into law the following articles and sections.

ARTICLE 2. PURPOSE

These regulations are adopted for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, prosperity, and general welfare. To that end, the Ordinance is designed to advance the goals of the Land Use Element of the Greenwood City/County Comprehensive Plan. Specific purposes of this Ordinance include, but are not limited to, the following:

- A. Provide for adequate light, air, and open space;
- B. Prevent the overcrowding of land to avoid undue concentration of population and to lessen congestion in the streets;
- C. Facilitate the creation of a convenient, attractive, and harmonious community;
- D. Protect and preserve scenic, historic, or ecologically sensitive areas;
- E. Regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- F. Facilitate the adequate provision or availability of transportation, police and fire protection, water, sewer, schools, parks and other recreational facilities, safe and affordable housing, disaster evacuation, and other public services and requirements;
- G. Secure safety from fire, flood, and other dangers; and
- H. Further the public welfare in any other regard.

ARTICLE 3. JURISDICTION

The provisions of this Ordinance shall apply to all land and improvements within the corporate limits of the City of Greenwood.

ARTICLE 4. OFFICIAL MAP

The Official Zoning Maps shall be maintained in the Greenwood City/County Department of Planning. The boundaries of the zoning districts established by this Ordinance are shown upon the maps entitled "Zoning District Maps for Greenwood County," as prepared by IdeNovo (formerly GeoPower Technologies, Inc.) of Markham, Ontario, Canada in 1999, utilizing base maps prepared by Analytical Surveys, Inc. of Colorado Springs, Colorado, from orthophotography obtained in 1992.

ARTICLE 5. SCOPE OF REGULATIONS

No building, structure, or premises shall be used, and no building, structure, or part thereof shall be erected, moved, remodeled, extended, enlarged, or altered, except in conformity with the provisions of this Ordinance. However, a change in use with existing parking and existing dumpsters are exempted from certain provisions of Section 6.2.3. and Chapter 6, Article 9.

ARTICLE 6. MINIMUM REQUIREMENTS AND CONFLICTS

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements adopted for the promotion of public health, safety, comfort, convenience and general welfare. It is not intended by these regulations to repeal, revoke, annul or in any way impair or interfere with any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by these regulations to interfere with or revoke or annul any easements, covenants, or other agreements between parties. To that end, the following provisions shall apply:

- A. Where there is a conflict or apparent conflict between provisions of this Ordinance, the more restrictive provision shall control;
- B. Where it is possible to implement, administer, or construe a particular provision in more than one way, it shall be implemented, administered, or construed in the way that eliminates or minimizes conflicts with other provisions of this Ordinance; and
- C. Whenever this Ordinance imposes a more restrictive standard than required by any other statute, local ordinance or regulation, the provisions of this Ordinance shall govern. Conversely, whenever any statute, local ordinance or regulation imposes a stricter standard than required by this Ordinance, the provisions of such statute, local ordinance or regulation shall govern.

ARTICLE 7. RELATIONSHIP TO DEED RESTRICTIONS

Public regulation of land is entirely separate from and independent of private deed restrictions.

No weight shall be given to the effect of deed restrictions in construing this Ordinance, nor shall this Ordinance be given inappropriate consideration in the construction of deed restrictions.

ARTICLE 8. SEVERABILITY

If any division, section, paragraph, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect. If any application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

ARTICLE 9. REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

ARTICLE 10. DEVELOPMENT IN PROGRESS

On the date this ordinance becomes effective and applicable zoning maps are adopted by those jurisdictions mentioned above, any development project which either has plans approved by the City/County Planning Commission or City/County Planning Staff is exempt from the use provisions of this ordinance and may continue the projects as originally approved. Each project must comply with the light and glare standards as well as noise standards contained elsewhere in this ordinance.

ARTICLE 11. EFFECTIVE DATE

The provisions of this Ordinance represent a complete, newly adopted set of standards. The effective date of this new Ordinance shall be one day following the passage of new applicable zoning maps for all jurisdictions protected by this ordinance.